

STATEMENT SUMMARIZING INTERVIEW

This application has been carefully reviewed in light of the Office Action dated August 4, 2006. Claims 40 to 44, 50 to 54 and 60 are pending in the application, of which Claims 40 and 50 are independent. Reconsideration and further examination are respectfully requested.

Applicants thank Examiner Rudolph for his courtesies and thoughtful treatment afforded during an interview conducted by telephone on October 31, 2006. Present at the interview were Examiner Rudolph and Primary Examiner Mark Zimmerman (on behalf of the PTO) and Michael K. O'Neill and Michael Guzniczak (on behalf of the Applicants). Applicants' Statement of the Substance of the Interview follows.

With respect to Claim 40, an amendment was proposed to clarify that the production lot information was that of a consumable unit, and to clarify the significance of distributing control software based on such lot information. In this regard, it was explained that U.S. Patent No. 6,771,385 (Iizuka) is not seen to disclose or suggest the features of receiving production lot information of a consumable unit and of distributing control software based on the production lot information. While not necessarily stating that proposed Claim 40 would be allowed, Mr. Zimmerman indicated that such an amendment would be favorably received. However, Mr. Zimmerman also indicated that there was some uncertainty in the claim, over the role of the "external apparatus" relative to that of the "image forming apparatus". Mr. Zimmerman asked for clarifying amendments, and such amendments have been made in the claim language above.

Therefore, independent Claims 40 and 50 are seen to be in condition for allowance, and such action is respectfully requested.

The Office Action entered rejections of independent Claims 45 and 55. Claims 45 and 55 and any claims dependent therefrom have been cancelled without prejudice or disclaimer of subject matter, and solely for the purpose of expediting issuance. Accordingly, this should be viewed as a traversal of the rejection of Claims 45 and 55, for the reasons of record which are incorporated herein by reference.

In light of the agreements made during the interview and the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", is written over a horizontal line.

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